

FORM PTO-1390
(REV 2-2005)
OMB-0651-0021

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.
12007-0047

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: February 11, 2005

U.S. APPL. NO.
(IF KNOWN) 10/524295
Not yet assigned

INTERNATIONAL APPLICATION NO.
PCT/DE2003/002747

INTERNATIONAL FILING DATE
15 August 2003

PRIORITY DATE CLAIMED
16 August 2002

TITLE OF INVENTION: **METHOD FOR SCREENING THE ALLELIC STATE AT THE 5'-FLANKING REGION OF THE α S1 CASEIN GENE (as amended)**

APPLICANT(S) FOR DO/EO/US: **Eva-Maria PRINZENBERG and Georg ERHARDT**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. **UNEXECUTED**
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

S. APPLN. NO. (IF KNOWN)
SEE 37 C.F.R. 1.50) **10/524295**
Not yet assigned

INTERNATIONAL APPLICATION NO.

PCT/DE2003/002747

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☒ The following fees are submitted:☒ 21.) Basic National Fee.....\$300

☒ 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100
All other situations.....\$200

☒ 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2)) has been paid in the International Application to the USPTO as an International Searching Authority.....\$100
International Search Report prepared and provided to the Office.....\$400
All other situations.....\$500

TOTAL OF 21, 22 and 23 =

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE |
|--------------|--------------|---|---------|
| 33-100 | 0/50= | 0 | x \$250 |

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)].

| Claims | Number Filed | Number Extra | Rate |
|--------------------|--------------|--------------|------------|
| Total Claims | - 20 = | | X \$50.00 |
| Independent Claims | - 3 = | | X \$200.00 |

Multiple dependent claim(s) (if applicable)

+ \$360.00

TOTAL OF ABOVE CALCULATIONS =

Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property

TOTAL FEES ENCLOSED =

Amount to be refunded

Charged

\$

\$

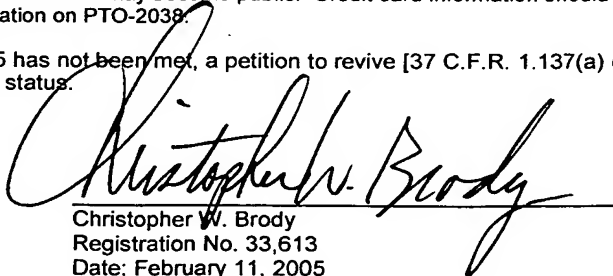
- a. ☒ A check in the amount of \$500 to cover the above fees is enclosed.
b. ☐ Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$_____ to cover the above fee. A duplicate copy of this sheet is enclosed.
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088.
d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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Date: February 11, 2005